



05-26-04

Attorney's Docket No.: 17105-059001/25886-0095

DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : R. Pandey et al.

Serial No. : 10/613,474

Conf. No. : 4936

Filed : July 2, 2003

Title : EFFICIENT SYNTHESIS OF PYROPHEOPHORBIDE A AND ITS
DERIVATIVES

Art Unit : 1624

Examiner : Berch, M. L.

Cust No. : 20985

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (4 pages) and cited references for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

- [X] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No.: 17105-059001 (25886-0095)

Address all correspondence to:

Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
seidman@fr.com
10391131.doc

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Services as "Express Mail" Label No. EV 39929007 US in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5/24/04

Stephanie L. Seidman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : R. Pandey et al.

Art Unit : 1624

Serial No. : 10/613,474

Examiner : Berch, M. L.

Conf. No. : 4936

Cust No. : 20985

Filed : July 2, 2003

Title : EFFICIENT SYNTHESIS OF PYROPHEOPHORBIDE A AND ITS
DERIVATIVES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. 1.97-1.98

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §1.97-1.98. Forms PTO-1449 (4 pages) and copies of the cited documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language with the exception of Item CM (Fischer et al.). Item CM is in the German language and is provided with an English language translation (Item CG). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Further to the list provided in the communication filed on October 7, 2003, applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/or are commonly owned:

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Services as "Express Mail" Label No. EV 399294907 US in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

05/24/04

Stephanie L. Seidman

U.S.S.N.	Filing Date	Publication or Issue No.	Publication or Issue Date	Docket No.
09/592,150	06/12/00	6,624,187	09/23/03	0049
09/801,163	03/07/01	2002-0128303	09/12/02	0050
10/351,730	01/23/03	2003-0167033	09/04/03	0052
10/410,700	04/08/03	2003-0208249	11/06/03	0055D
10/802,284	03/16/04			0055E
10/091,144	03/04/02	2002-0127224	09/12/02	0066B
10/607,922	06/27/03	2004-0044197	03/04/04	0094

Int'l App. No.	Filing Date	Publication No.	Publication Date	Docket No.
PCT/US03/02303	01/23/03	WO03061696	07/31/03	0052PC
PCT/US03/20427	06/27/03	WO04002486	01/08/04	0094PC
PCT/US03/21179	07/02/03	WO04005289	01/15/04	0095PC
03010382.4	05/10/03			CHEN0188
PCT/US02/28149	11/25/02	WO03052793	06/26/03	CHEN0187

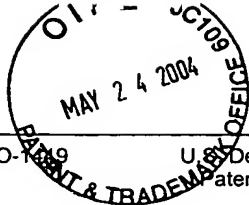
Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No.: 17105-059001 (25886-0095)
Address all correspondence to:
Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
seidman@fr.com
10391097.doc

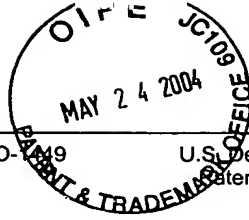


Substitute Form PTO-1019 (Modified) List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 17105-059001 (25886-0095)	Application No. 10/613,474
	Applicant R. Pandey et al.		
	Filing Date July 2, 2003	Group Art Unit 1624	

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A	RE37,180	05/15/01	Mori et al.	514	410	04/29/99
	B	2001/0022970	09/20/01	Dees et al.	424	178.1	03/06/01
	C	2002/0033192	03/21/02	Lindsey et al.	136	263	05/10/01
	D	2002/0049247	04/25/02	Chen	514	410	01/12/01
	E	2002/0087205	07/04/02	Chen	607	88	07/13/01
	F	2002/0127224	09/12/02	Chen	424	130.1	03/04/02
	G	2002/0127230	09/12/02	Chen	424	178.1	07/13/01
	H	2002/0128303	09/12/02	Bellnier et al.	514	410	03/07/01
	I	2002/0198576	12/26/02	Chen et al.	607	88	08/01/02
	J	2003/0018371	01/23/03	Chen	607	88	07/13/01
	K	2003/0030342	02/13/03	Chen et al.	310	102	12/13/01
	L	2003/0109813	06/12/03	Chen	601	2	12/10/02
	M	2003/0114434	06/19/03	Chen et al.	514	185	08/31/99
	N	2003/0167033	09/04/03	Chen et al.	604	20	01/23/03
	O	2003/0208249	11/06/03	Chen	607	88	04/08/03
	P	2004/0044197	03/04/04	Pandey et al.	540	140	06/27/03
	Q	2004/0044198	03/04/04	Pandey et al.	540	145	06/02/03
	R	4,521,762	06/04/85	Kapral	340	347	12/20/82
	S	4,577,636	03/25/86	Spears	128	654	01/27/84
	T	4,656,186	04/07/87	Bommer et al.	514	410	04/07/87
	U	4,675,338	06/23/87	Bommer et al.	514	410	07/18/84
	V	4,693,885	09/15/87	Bommer et al.	424	9.61	04/30/85
	W	4,753,958	06/28/88	Weinstein et al.	514	410	06/25/86
	X	4,861,876	08/29/89	Kessel	540	145	11/26/86
	Y	4,878,891	11/07/89	Judy et al.	604	5	06/25/87
	Z	4,925,736	05/15/90	Shikowitz	424	449	07/06/88
	AA	4,935,498	06/19/90	Sessler et al.	534	15	03/06/89
	AB	4,957,481	09/18/90	Gatenby	604	20	07/03/89
	AC	4,997,639	03/05/91	Aizawa et al.	424	9	11/27/89
	AD	5,004,811	04/02/91	Bommer et al.	540	145	12/24/87

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-149
(Modified)U.S. Department of Commerce
Patent and Trademark OfficeAttorney Docket No.
17105-059001
(25886-0095)Application No.
10/613,474**List of Patents and Publications for Applicant's
Information Disclosure Statement**Applicant
R. Pandey et al.Filing Date
July 2, 2003Group Art Unit
1624

(37 CFR §1.98(b))

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AE	5,028,594	07/02/91	Carson	514	23	12/27/88
	AF	5,041,078	08/20/91	Matthes et al.	604	4	12/21/89
	AG	5,051,415	09/24/91	Moran et al.	514	185	08/02/89
	AH	5,053,006	10/01/91	Watson	604	52	04/02/90
	AI	5,066,274	11/19/91	Bommer et al.	604	20	05/12/89
	AJ	5,095,030	03/10/92	Levy et al.	514	410	09/28/89
	AK	5,216,012	06/01/93	Morgan et al.	514	410	09/23/91
	AL	5,298,018	03/29/94	Narciso, Jr.	604	21	08/14/92
	AM	5,308,861	05/03/94	Aizawa et al.	514	410	04/29/92
	AN	5,330,741	07/19/94	Smith et al.	424	9	02/24/92
	AO	5,368,841	11/29/94	Trauner et al.	424	9	02/11/93
	AP	5,430,051	07/04/95	Aizawa et al.	514	410	04/19/94
	AQ	5,441,531	08/15/95	Zarate et al.	607	90	10/18/93
	AR	5,484,803	01/16/96	Richter	514	410	02/02/95
	AS	5,500,009	03/19/96	Mendes et al.	607	88	09/27/93
	AT	5,514,669	05/07/96	Selman	514	63	09/29/93
	AU	5,534,506	07/09/96	Morgan et al.	514	185	06/20/94
	AV	5,549,660	08/27/96	Mendes et al.	607	088	11/12/92
	AW	5,556,612	09/17/96	Anderson et al.	424	59	03/15/94
	AX	5,567,409	10/22/96	Aizawa et al.	424	9.363	12/12/94
	AY	5,594,136	01/14/97	Sessler et al.	540	472	05/03/95
	AZ	5,705,518	01/06/98	Richter et al.	514	410	02/06/95
	BA	5,736,563	04/07/98	Richter	514	410	11/08/95
	BB	5,770,619	07/23/98	Richter et al.	514	410	11/01/95
	BC	5,824,080	10/20/98	Lamuraglia	623	11	09/04/96
	BD	5,829,448	11/03/98	Fisher et al.	128	898	10/30/96
	BE	5,832,931	11/10/98	Wachter et al.	128	898	10/30/96
	BF	5,851,225	12/22/98	Lawandy	607	88	11/13/96
	BG	5,885,557	03/23/99	Lentini	424	59	02/08/96
	BH	5,913,884	06/22/99	Trauner et al.	607	88	10/31/96

Examiner Signature

Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 17105-059001 (25886-0095)	Application No. 10/613,474
List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))		Applicant R. Pandey et al.	
		Filing Date July 2, 2003	Group Art Unit 1624

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	BI	5,942,534	08/24/99	Trauner et al.	514	410	10/10/97
	BJ	5,944,748	08/31/99	Mager et al.	607	88	07/25/97
	BK	5,976,535	11/02/99	Fritzberg et al.	424	182.1	06/06/95
	BL	5,998,597	12/07/99	Fisher et al.	536	23.1	12/11/97
	BM	6,036,941	03/14/00	Bottiroli et al.	424	9.6	05/11/98
	BN	6,048,359	04/11/00	Biel	607	92	08/25/98
	BO	6,063,108	05/16/00	Salansky et al.	607	89	01/06/97
	BP	6,063,777	05/16/00	Hikida et al.	514	183	06/15/99
	BQ	6,090,788	07/18/00	Lurie	514	23	06/30/99
	BR	6,107,466	08/22/00	Hasan et al.	530	351	09/24/98
	BS	6,117,862	09/12/00	Margaron et al.	514	185	11/09/98
	BT	6,152,951	11/28/00	Hashimoto et al.	607	92	02/17/98
	BU	6,162,242	12/19/00	Peyman	607	88	01/21/99
	BV	6,187,030	02/13/01	Gart et al.	607	93	11/05/98
	BW	6,454,789	09/24/02	Chen et al.	607	88	01/15/99
	BX	6,624,187	09/23/03	Pandey et al.	514	410	06/12/00
	BY	6,657,351	12/02/03	Chen et al.	310	171	07/20/01

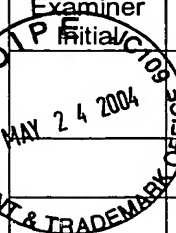
Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	BZ	00/61584 A1	10/19/00	PCT				
	CA	01/74398 A1	10/11/01	PCT				
	CB	02/098882 A1	12/12/02	PCT				
	CC	03/050082 A2	06/19/03	PCT				
	CD	2004/002476 A2	01/08/04	PCT				
	CE	2004/005289 A2	01/15/04	PCT				

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	CF	Anderson et al. "Photodynamic therapy for sarcoma pulmonary metastases: a preclinical toxicity study," <i>Anticancer Res.</i> 23:3713-3718 (2003).

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No. 17105-059001 (25886-0095)	Application No. 10/613,474
List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))				Applicant R. Pandey et al.	
				Filing Date July 2, 2003	Group Art Unit 1624
Other Documents (include Author, Title, Date, and Place of Publication)					
Examiner Initials	Desig. ID	Document			
	CG	Certified English Translation of: Fischer, H. et al., "[On the Bromination of the Esters of Mesoisochlorin e4 and Mesochlorin e6]," <i>Berichte der Deutschen Chemischen</i> 75:1778-1795 (1942)			
	CH	Chen et al., "New directions in photodynamic therapy," <i>ICCP-2. 2nd International Conference on Porphyrins and Phthalocyanines</i> , 2002 30 June - 5 July; Kyoto, Japan: 78 [abstract S-26]			
	CI	Chen et al., "New technology for deep light distribution in tissue for phototherapy," <i>Cancer J</i> 8(2):154-163. (2002)			
	CJ	Chen et al., "Next-generation light delivery system for multitreatment extended-duration photodynamic therapy (MED-PDT)," <i>Proc SPIE</i> 2972:161-166 (1997).			
	CK	Database Crossfire Beilstein, Database Accession No. 4286587 (Reaction ID), for Levinson, E.G. et al., <i>Russ. J. Bioorg. Chem (Engl. Transl.)</i> 21(3):199-203 (1995) in Russian in the :Bioorg. Khim. 21(3):230-234 (1995)			
	CL	Derwent English Abstract, Accession No. 1996-475153, citing Russian Patent RU 2054944 C, published February 27, 1996, "Production of purpurin-18 for treatment of tumours – comprises extracting vegetable waste with ethanol, oxidative splitting, degreasing and purifying".			
	CM	Fischer, H. et al., "[On the Bromination of the Esters of Mesoisochlorin e4 and Mesochlorin e6]," <i>Berichte der Deutschen Chemischen</i> 75:1778-1795 (1942)			
	CN	Haslam et al., "Recent Developments in Methods for the Esterification and Protection of the Carboxyl Group," <i>Tetrahedron</i> 36: 2409-2433 (1980)			
	CO	Jones et al. "Photodynamic therapy for patients with advanced non-small-cell carcinoma of the lung," <i>Clin Lung Cancer</i> . 3(1):37-41 (2001)			
	CP	Li et al., "Application of Ruppert's reagent in preparing novel perfluorinated porphyrins, chlorins and bacteriochlorins", <i>J. Chem. Soc. Perkin Trans 1</i> , 1785-1787 (1999)			
	CQ	Li et al., "Synthesis, comparative photosensitizing efficacy, human serum albumin (site II) binding ability, and intracellular localization characteristics of novel benzobacteriochlorins derived from vic-dihydroxybacteriochlorins,". <i>J Med Chem</i> . 46(25):5349-5359 (2003)			
	CR	Lustig et al., "A multicenter Phase I safety study of intratumoral photoactivation of talaporfin sodium in patients with refractory solid tumors," <i>Cancer</i> 98(8):1767-71 (2003)			
	CS	Patent Abstract of Japan citing Japanese Patent Application JP 09124652, published May 13, 1997, "Porphyrin Derivative and Use Thereof".			
	CT	Schmidt-Erfurth et al., "Photodynamic therapy of subfoveal choroidal neovascularization: clinical and angiographic examples," <i>Graefe's Arch Clin Exp Ophthalmol</i> . 236:365-374 (1998)			
	CU	Schmidt-Erfurth et al., "Vascular Targeting in Photodynamic Occlusion of Subretinal Vessels," <i>Ophthalmology</i> 101:1953-1961 (1994)			
	CV	Smith et al., "Bacteriochlorophylls c from <i>Chloropseudomonas ethylicum</i> . Composition and NMR Studies of the Pheophorbides and Derivatives", <i>Am. Chem. Soc.</i> , 102(7):2437-2448 (1980)			
CW	Zheng et al., "Chlorin-based symmetrical and unsymmetrical dimers with amide linkages: effect of the substituents on photodynamic and photophysical properties," <i>J. Chem. Soc. Perkins 1</i> , pp.3113-3121 (2000)				
CX	Zheng et al., "PDT using a novel LED light source and LS11 in a rat liver model," <i>30th Annual Meeting of the American Society for Photobiology</i> ; 2002 13-17 July; Quebec City, Canada. American Society for Photobiology: 33 [abstract 95]				

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	